



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-------------------------|-------------|----------------------|---------------------|------------------|
| 10/660,486 | 09/12/2003 | Paul J. Lemens | 081069-0305920 | 6329 |
| 909 | 7590 | 05/05/2004 | EXAMINER | |
| PILLSBURY WINTHROP, LLP | | | GRAY, LINDA LAMEY | |
| P.O. BOX 10500 | | | ART UNIT | |
| MCLEAN, VA 22102 | | | PAPER NUMBER | |

1734

DATE MAILED: 05/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

AS

Office Action Summary

Application No.

10/660,486

Applicant(s)

LEMENS ET AL

Examiner

Linda L Gray

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Detailed Action

Claim Objections

1. Claim 6 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim, amend the claim to place the claim in proper dependent form, or rewrite the claim in independent form. Claim 6 repeats a limitation of claim 4 from which claim 6 depends.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3 and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuo et al. (US 5,480,509) in view of Paque (US 6,244,322).

Claim 1, Matsu et al. teach a master processing apparatus (Fig 1) with a pair of removable feed rolls 5a and 5b carrying a supply of stock materials 6a and 6b to be unwound. The apparatus includes the following:

- (a)** a frame constructed and arranged to removably mount rolls 5a and 5b where the frame includes R1, R2, and R3,
- (b)** a master processing assembly including, for example, rollers 10a or 10b, and

(c) a cutting assembly (Figs 14A-C, 15, 16) disposed on a discharge side of the processing assembly and including guide member 171 extending transversely with respect to the frame and blade 17a mounted to member 171 for guided transverse cutting movement therealong.

The frame is constructed and arranged such that when rolls 5a and 5b are removably mounted thereto, master 20 can be inserted into the processing assembly together with materials 6a and 6b unwound from their respective feed rolls 5a and 5b and disposed on opposing sides of master 20.

The processing assembly is constructed and arranged to perform a master processing operation wherein the processing assembly causes bonding between material 20 and material 6a and 6b being fed into a feed side thereof and subsequently discharges the processed master 20 and materials 6a and 6b from the discharge side.

Member 171 is movably mounted to the frame for selective movement between and inoperative position wherein blade 17a is positioned in spaced relation above materials 6a and 6b to prevent blade 17a from cutting through the processed master 20 and materials 6a and 6b; and an operative position wherein blade 17a is positioned such that a portion thereof extends downwardly below materials 6a and 6b so that the downward extent of blade 17a enables blade 17a to cut through an entire thickness of the processed master 20 and materials 6a and 6b during the transverse cutting movement.

Materials 6a and 6b are heat-reactive films in that outer facing surfaces melt when heated such that the two then adhere together; thus, materials 6a and 6b are considered

Art Unit: 1734

to have a layer of adhesive thereon when in its heated-melted condition (c 4, L 42, to c 11, L 54).

Matsu et al. do not teach (x) a substrate supporting surface positioned on the discharge side of the processing assembly and being configured to receive and support at least a portion of the processed master 20 and materials 6a and 6b being discharged from the processing assembly in a substantially flat relation and (y) that movement of member 171 is manual.

For **(x)**, Paque teaches a substrate supporting surface positioned on the discharge side of a master processing assembly and being configured to receive and support at least a portion of a processed master and stock materials on each side thereof being discharged from the processing assembly in a substantially flat relation to prevent the product from falling downward and bending or curling (c 4, L 43-61), and for this reason it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided for such in Matsuo et al.

For **(y)**, it is conventional in the art of laminating apparatuses to provide such with a means to manually operate a cutter such that a cut is still possible to provide a product should the automatic cutter cease to operate, and for this reason it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided for such in Matsuo et al.

Claim 2, Matsuo et al. teach an actuator shown in Figure 5, and described in column 6, line 28, to column 7, line 18, operatively connected to the processing assembly to affect operation of such. **Claim 3**, Matsuo et al. teach biasing structure 77 biasing member 171 to the inoperative position. **Claim 5**, Matsuo et al. teach blade 17a to be positioned immediately adjacent the discharge side of the processing assembly when in the operative position thereof and wherein member 171 is movably mounted to the frame such that blade 17a moves both toward the processing assembly and downward as member 171 is moved from the inoperative position to the operative position. **Claim 7**, Matsuo et al. teach member 171 has a pair of mounting arms 172 extending from opposing ends thereof which are pivotally connected to the frame to movably mount member 171.

4. Claims 1-2 and 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Onodera et al. (US 5,653,846) in view of Paque.

Claim 1, Onodera et al. teach a master processing apparatus (Fig 1) with a pair of removable feed rolls 17a and 17b carrying a supply of stock materials 19a and 19b to be unwound. The apparatus includes the following:

- (a)** frame 1 constructed and arranged to removably mount rolls 17a and 17b,
- (b)** a master processing assembly 10, and
- (c)** cutting assembly 13 disposed on a discharge side of assembly 10 and including a rotatable guide member extending transversely with respect to frame 1 and blade 13a mounted to the guide member for guided transverse cutting movement therealong.

Frame 1 is constructed and arranged such that when rolls 17a and 17b are removably mounted thereto, master S can be inserted into assembly 10 together with materials 19a and 19b unwound from their respective feed rolls 17a and 17b and disposed on opposing sides of master S.

Assembly 10 is constructed and arranged to perform a master processing operation wherein assembly 10 causes bonding between material S and material 19a and 19b being fed into a feed side thereof and subsequently discharges the processed master S and materials 19a and 19b from the discharge side.

The guide member is movably mounted to frame 1 for selective movement between and inoperative position wherein blade 13a is positioned in spaced relation above materials 19a and 19b (depending upon one's frame of reference) to prevent blade 13a

from cutting through the processed master S and materials 19a and 19b; and an operative position wherein blade 13a is positioned such that a portion thereof extends downwardly below materials 19a and 19b so that the downward extent of blade 13a enables blade 13a to cut through an entire thickness of the processed master S and materials 19a and 19b during the transverse cutting movement.

Materials 19a and 19b are heat-reactive films in that outer facing surfaces melt when heated such that the two then adhere together; thus, materials 19a and 19b are considered to have a layer of adhesive thereon when in its heated-melted condition (c 2, L 66, to c 9, L 9).

Onodera et al. do not teach (x) a substrate supporting surface positioned on the discharge side of assembly 10 and being configured to receive and support at least a portion of the processed master S and materials 19a and 19b being discharged from assembly 10 in a substantially flat relation and (y) that movement of the guide member is manual.

For **(x)**, in view of Paque it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided for such in Onodera et al.

For **(y)**, it is conventional in the art of laminating apparatuses to provide such with a means to manually operate a cutter such that a cut is still possible to provide a product should the automatic cutter cease to operate, and for this reason it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided for such in Onodera et al.

Claim 2, Onodera et al. teach an actuator shown in Figure 3, and described in column 5, lines 26-66, operatively connected to assembly 10 to affect operation of such. **Claims 4 and 6**, the guide member is such that blade 13a travels along an arcuate path between the inoperative and operative positions. **Claim 5**, Onodera et al. teach blade 13a to be positioned immediately adjacent the discharge side of assembly 10 when in the operative position thereof and wherein the guide member is movably mounted to frame 1 such that blade 13a moves both toward the assembly 10 and downward as the guide member is moved from the inoperative position to the operative position.

5. Claims 1-2 and 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable Watson (US 4,594,125)

Claim 1, Watson teaches a master processing apparatus (Fig 1) with a pair of removable feed rolls R1 and R2 carrying a supply of stock materials W1 and W2 to be unwound. The apparatus includes the following:

- (a)** a frame constructed and arranged to removably mount rolls R1 and R2 where the frame includes, for example, plate 31,
- (b)** a master processing assembly shown as the laminating features of the apparatus of Figure 1, and
- (c)** cutting assembly 47 disposed on a discharge side of the processing assembly and including a rotatable guide member extending transversely with respect to the frame and blade 159 mounted to the guide member for guided transverse cutting movement therealong.

The frame is constructed and arranged such that when rolls R1 and R2 are removably mounted thereto, master S can be inserted into the processing assembly together with materials W1 and W2 unwound from their respective feed rolls R1 and R2 and disposed on opposing sides of master S.

The processing assembly is constructed and arranged to perform a master processing operation wherein the processing assembly causes bonding between material S and material W1 and W2 being fed into a feed side thereof and subsequently discharges the processed master S and materials W1 and W2 from the discharge side.

The guide member is movably mounted to the frame for selective movement between and inoperative position wherein blade 159 is positioned in spaced relation above materials W1 and W2 to prevent blade 159 from cutting through the processed master S and materials W1 and W2; and an operative position wherein blade 159 is positioned such that a portion thereof extends downwardly below materials W1 and W2 so that the downward extent of blade 159 enables blade 159 to cut through an entire thickness of the processed master S and materials W1 and W2 during the transverse cutting movement.

Materials W1 and W2 have an adhesive on one side (c 2, L 53, to c 7, L 54).

Watson teaches a substrate supporting surface 167 positioned on the discharge side of the processing assembly and being configured to receive and support at least a portion of the processed master S and materials W1 and W2 being discharged from the processing assembly in a substantially flat relation.

Watson does not teach that movement of the guide member is manual.

However, it is conventional in the art of laminating apparatuses to provide such with a means to manually operate a cutter such that a cut is still possible to provide a product should the automatic cutter cease to operate, and for this reason it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided for such in Watson.

Claim 2, Watson teaches an actuator shown described in column 6, line 40, to column 7, line 2, operatively connected to the processing assembly to affect operation of such. **Claims 4 and 6**, the guide member is such that blade 159 travels along an arcuate path between the inoperative and operative positions. **Claim 5**, Watson teaches blade 159 to be positioned immediately adjacent the discharge side of the processing assembly when in the operative position thereof and wherein the guide member is movably mounted to the frame such that blade 159 moves both toward the processing assembly and downward as the guide member is moved from the inoperative position to the operative position. **Claim 7**, Watson teaches that the guide has a pair of mounting arms

Art Unit: 1734

(see arms from both sides of item 157 in Figure 5) extending from opposing ends thereof which are pivotally connected to the frame to movably mount the guide member.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linda Gray whose telephone number is (571) 272-1228. The examiner can normally be reached Monday-Friday from 9:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino, can be reached at (571) 272-1226. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

llg

April 30, 2004

Linda L. Gray
LINDA GRAY
PRIMARY EXAMINER